

**NURSING HOME ADMINISTRATOR EXAMINING BOARD  
MINUTES  
MADISON, WISCONSIN  
DECEMBER 19, 2002**

**PRESENT:** Patricia Benesh, Kay Czaplewski, Dr. Robert Kessler, Robert Mulder, Karen Robinson, and Jerry Schallock

**EXCUSED:** David Egan, Patricia Schulz, and Roxann Sobek

**STAFF PRESENT:** Cletus Hansen; Ruby Jefferson-Moore, Legal Counsel; Gina York, other members of the DOE staff for a portion of the meeting.

**GUESTS:** None

**CALL TO ORDER**

The meeting was called to order at 9:32 a.m. by Karen Robinson, Chair. A quorum of six members was present. The Board welcomed two new members Patricia Benesh, representative from the Department of Health and Family Services and Kay Czaplewski, a professional RN member.

**AGENDA**

**Amendment to the Agenda:**

- Add after approval of minutes: Greg Horstman and Transition Update
- Add after Item 7: Review Draft of Regulatory Digest
- Add to Item 14: Dennis Matters Letter

**MOTION:** Jerry Schallock moved, seconded by Robert Mulder, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES (6/20//02)**

**MOTION:** Jerry Schallock moved, seconded by Robert Mulder, to approve the minutes of June 20, 2002 as written. Motion carried unanimously.

**SECRETARY OFFICE**

Greg Horstman informed the Board with the new change in Administration that may result in some changes at the Department. If this happens a transition team will be announced to ensure a smooth transfer of duties and responsibilities. The Department will keep Boards abreast of any additional information as it becomes available.

## **ELECTION OF OFFICERS**

**MOTION:** Robert Mulder moved, seconded by Robert Kessler, to nominate Jerry Schallock as the NHA Board Chair. Motion carried unanimously.

**MOTION:** Karen Robinson moved, seconded by Robert Kessler, to nominate Robert Mulder as the NHA Board Vice Chair. Motion carried unanimously.

**MOTION:** Robert Mulder moved, seconded by Robert Kessler, to nominate Patricia Schulz as the NHA Board Secretary. Motion carried unanimously.

## **ADMINISTRATIVE REPORT**

### **BOARD ROSTER**

The Board had one change: Robert Kessler new e-mail address is now:  
[robert.kessler@aurora.org](mailto:robert.kessler@aurora.org)

### **2003 MEETING DATES**

Noted.

### **TO-DO LIST**

Noted.

### **SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES**

Noted.

### **MONTHLY PRESS RELEASES**

Noted.

### **TO-PASS FOLDER**

Noted.

## **SERVICE AND BUDGET COMMITTEE**

The Board reviewed the information and combined summary of initiatives provided by the Budget and Services Committee.

## **LEGISLATIVE UPDATE**

### **AB 427, Relating to Requirements that Apply to a Person Taking the Examination for a Nursing Home Administrator License**

Myra Sheldon provided the Board with a legislative flow chart showing the internal and external process of how a bill proposal becomes law. Jerry Schallock will be the new Board contact for legislation. Ms. Sheldon will convey the recommendation by the Board to refer this legislation to Representative Hundertmark's committee.

## **TIMELINE ON SENATE CONFIRMATION**

Noted.

## **OTHER UPDATES**

Noted.

## **REGULATORY DIGEST**

A draft copy of the Regulatory Digest was reviewed by the Board. The Board requested the names of the new members be added and the election results of today's meeting to be included in this publication.

## **ADMINISTRATIVE RULES UPDATE**

Nothing before the Board at this time. This item will continue to be on the agenda so Board can discuss any new rulemaking issues that need attention.

## **EXAMINATION ISSUES**

The examination issues were tabled to closed session for discussion with Darwin Tichenor.

## **BOARD MEMBER ACTIVITY**

The Board appointed designees to the BQA Industry Advocacy Meetings.

**MOTION:** Jerry Schallock moved, seconded by Robert Kessler, to designate Karen Robinson as the Board representative at the BQA Industry Advocacy Meetings. Motion carried unanimously.

**MOTION:** Karen Robinson moved, seconded by Robert Kessler, to designate Jerry Schallock and Kay Czaplewski as alternative representatives to the BQA Industry Advocacy Meetings if Ms. Robinson can not attend. Motion carried unanimously.

## **NATIONAL ASSOCIATION OF BOARDS OF EXAMINERS OF LONG TERM CARE ADMINISTRATORS**

The Board noted the memorandum from NAB regarding fiscal year 2003 proposed budget and fee increases.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

The following items were noted: a copy of the "STL Today News" and a copy of the new CCAC quarterly newsletter.

## **NEW BUSINESS**

None.

## **MEMORANDUM OF AGREEMENT WITH DHFS**

The draft agreement with DHFS was reviewed by the Board. In the agreement DHFS is to refer to the Board cases that need to be investigated. There will be final revisions made by Clete Hansen and effective upon receiving required signatures. There will be a biannual review of the agreement by all parties.

**MOTION:** Jerry Schallock moved, seconded by Robert Kessler, to implement Clete Hansen's revisions and the NHA Board Chair and DRL Secretary to sign the agreement for implementation. Motion carried unanimously.

## **MONITORING OF CONTINUING EDUCATION**

The Board discussed its preference for monitoring the completion of continuing education requirements by licensees. The Board is satisfied with the procedure whereby licensees sign a statement on the back of the renewal notice, stating that they have completed the required number of continuing education hours. Random audits are not done at this time but if there is a complaint an audit of CE's should be done. The Board would like to know if there is evidence of a trend in CE compliance. If an individual is found not in compliance the Board has designated a sixty (60) day limit to meet requirements.

## **DENNIS MATTERS LETTER REGARDING CONTINUING EDUCATION**

**MOTION:** Robert Kessler moved, seconded by Jerry Schallock, to refer this to the Division of Enforcement in the matter of Dennis Matters. Motion carried unanimously.

### **RECESS TO CLOSED SESSION**

**MOTION:** Karen Robinson moved, seconded by Robert Kessler, to convene the meeting in Closed Session pursuant to sections 19.85(1)(a), (b), (f) and (g), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Board or the investigation of charges against such a person, and to discuss the case status report and case closings. Motion carried by a roll call vote: Dr. Robert Kessler - yes; Jerry Schallock - yes; Roxann Sobek - yes; Robert Mulder- yes; Patricia Benesh – yes; Kay Czaplewski- yes; Pat Schulz - yes; Karen Robinson - yes. Motion carried unanimously.

Open Session recessed at 11:12 a.m.

Examination Issues were discussed in closed session with Darwin Tichenor.

Jack Temby, Greg Raube and members of the Business Team in DOE reported on open cases, and members of the team presented cases that were recommended for closing.

### **RECONVENE IN OPEN SESSION**

**MOTION:** Robert Mulder moved, seconded by Robert Kessler, to reconvene in Open Session at 12:50 p.m. Motion carried unanimously.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

#### **CASE CLOSINGS**

**MOTION:** Robert Kessler moved, seconded by Jerry Schallock, to close case **02 NHA 018** for no violation. Case Advisor, Karen Robinson abstained. Motion carried.

**MOTION:** Robert Mulder moved, seconded by Jerry Schallock, to close case **99 NHA 019** for insufficient evidence. Case Advisor, Karen Robinson abstained. Motion carried.

**MOTION:** Karen Robinson moved, seconded by Robert Mulder, to close case **01 NHA 012** for prosecutorial discretion, compliance gained. Case Advisor: David Egan not present. Motion carried unanimously.

**MOTION:** Robert Mulder moved, seconded by Karen Robinson, to table case **01 NHA 007** until the next NHA Board meeting. Motion carried unanimously.

## **PENDING APPLICATIONS**

There were not pending applications before the Board.

## **PROPOSED STIPULATION**

### **VINCENT W. BERGSTROM (MILWAUKEE) CONTINUATION OF MONITORING ON STIPULATION**

**MOTION:** Jerry Schallock moved, seconded by Robert Kessler, to grant a three month extension of a limited license for Vincent W. Bergstrom, Milwaukee. The monitoring of this matter shall be placed on each Board agenda throughout the term of the order and Robert Kessler shall be authorized to give subsequent reports and approvals on behalf of the Board if the Board does not meet, as currently scheduled. Motion carried unanimously. (Karen Robinson, Case Advisor, abstained.)

## **ROLF DONHOWE, NHA**

**MOTION:** Robert Mulder moved, seconded by Jerry Schallock, that all conditions of the Indiana order for Rolf Donhowe, HFA have been met for limited licensure. Motion carried unanimously. (Karen Robinson, Case Advisor, abstained.)

## **ADJOURNMENT**

**MOTION:** Jerry Schallock moved, seconded by Kay Czaplewski, to adjourn the meeting at 12:55 p.m. Motion carried unanimously.